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December 19, 2024

**BY E.C.F.**

Honorable Jennifer L. Rochon  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Mateo Guerrero-Tabares v. City of New York, et al., 24-CV-6361 (JLR)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, representing defendant City of New York in this matter. Defendant City of New York writes to respectfully request that the Court grant an extension of time for the City to answer, or otherwise respond to, the Complaint, from December 20, 2024 to January 20, 2025. This is the City of New York's first request for an extension of time to answer, or otherwise respond to, the Complaint. Plaintiff's counsel, Gideon Oliver, Esq., consents to this request.

By way of background, plaintiff brings this action, pursuant to 42 U.S.C. § 1983, alleging *inter alia* deprivation of rights in violation of the First, Fourth, Fifth, and Fourteenth Amendments. More specifically, plaintiff alleges that he was falsely arrested and subjected to excessive force on May 24, 2023. On August 23, 2024, the Court designated this case to participate under Local Rule 83.10 (the "Plan"). See ECF Entry, Notice August 23, 2024.

On September 30, 2024, the Court denied plaintiff's September 24, 2024 request to remove the case from the Plan. See Dkt. Entry No. 11. Thereafter, defendant City was served with, *inter alia*, the Complaint and the "[u]nsealing release required by the 1983 Plan." Dkt. Entry No. 12. In addition, defendants McCarthy and Boyle were purportedly served on October 8, 2024 and October 10, 2024, respectively. The docket does not reflect that defendant Black has been served.

Defendant City respectfully requests that the Court extend its time to respond to the Complaint from December 20, 2024 to January 20, 2025 to permit additional time to obtain relevant documentation, speak to relevant witnesses and investigate plaintiff's claims so that it may properly respond to the Complaint in compliance with its Rule 11 obligations. Defendant City further respectfully requests that the Court grant defendants McCarthy and Boyle corresponding extensions of time so that this Office may resolve representation, and avoid the filing of multiple responsive pleadings.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Joseph M. Hiraoka, Jr.

Joseph M. Hiraoka, Jr.

*Senior Counsel*

Special Federal Litigation Division

cc: **By E.C.F.**  
All Counsel of Record